

REMARKS

Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action mailed June 30, 2005. Additionally, the Applicants are grateful for the opportunity to discuss the comments set forth in the Office Action mailed June 30, 2005 with the Examiner during a telephone interview held on August 8, 2005. Amendment, according to agreements reached during that interview, reexamination and reconsideration of the application are respectfully requested.

The Office Action

In the Office Action mailed June 30, 2005:

claims 1, 4-6 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,164,842 to Gauronski, et al. ("Gauronski") in view of U.S. Patent No. 3,936,180 to Willard, et al. ("Willard") and U.S. Patent No. 5,483,223 to Austin, et al. ("Austin"); and

claims 9 and 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gauronski, Willard and Austin and further in view of U.S. Patent No. 6,011,940 to Van Lydegraf ("Van Lydegraf").

Telephone Interview Summary

The participation of the Examiner, Mr. Stephen M. Brinich, in a telephone interview with one of the representatives of the Applicants, Mr. Thomas Tillander, on August 8, 2005 is noted with appreciation. During that interview, independent **claims 1, 10 and 11** were discussed with reference to the Response to Arguments section of the present Office Action.

In particular, the statement beginning at the bottom of page 6 that "the claim language does not appear to preclude the "sample job" from overlapping or being a subset of the "main job"" was discussed. Mr. Tillander indicated that he believed the claim language did preclude the sample job from being a subset of the main job. For example, Mr. Tillander pointed out that **claims 1 and 10** recite interrupting the main job, producing the sample job and resuming the main job. Mr. Tillander further submitted that if the sample job were a subset of the main job, there would be no need to interrupt the main job in order to produce the sample job or process the interrupting job as recited in **claims 1 and 10**, respectively. The Examiner requested clarifying amendments.

In this regard, it was suggested, for example, to amend the recitation in **claim**

1 of -- producing the sample job -- to further recite “thereby generating an extra job element for examination or testing purposes.” The Examiner agreed that such an amendment would remove the present rejections. Furthermore, the Examiner agreed to enter such an amendment after the final rejection because the suggested amendment did not raise new issues since the discussion summarized above (with regard to interrupting the main job not being required when a sample job is a subset of the main job) was persuasive. Mr. Tillander also suggested other amendments to **claim 1** to clarify antecedence. The Examiner agreed that the suggested amendments clarified antecedence.

The Claims are not Obvious

Claims 1, 4-6 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gauronski in view of Willard and Austin. However, the Response to Arguments section of the Office Action indicated that previously presented arguments would be persuasive except that “the claim language does not appear to preclude the “sample job” from overlapping the subset of the “main job”.” However **claims 1 and (10)** have been amended to recite -- thereby generating at least one (an) extra job element useful for examination or testing purposes --. It is respectfully submitted that these amendments are in keeping with the spirit of the amendments suggested during the telephone interview summarized above, and which the Examiner agreed to enter and agreed would remove the present rejections. Additionally, **claim 1** has been amended to clarify antecedence.

For at least the foregoing reasons, it is respectfully submitted that **claims 1, 4-6 and 10** are not anticipated and are not obvious in light of Gauronski, Willard and Austin taken alone or in any combination.

Claims 9 and 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gauronski, Willard, Austin and Van Lydegraf.

However, **claim 9** depends from **claim 1** and is patentably distinct for at least that reason. Additionally, **claim 9** recites producing the sample job further comprises delivering the sample job at a convenient location apart from the main job delivery location. It is respectfully submitted that **claim 9** provides a further indication that the sample job production is separate from main job production.

Claim 11 recites wherein the at least one computing platform is operative to receive a job specification, a predetermined representative part specification and a sample interval associated with the predetermined representative part specification and to control the plurality of machine modules to produce a job according to the

received job specification and to produce samples according to the representative part specification at intervals determined by the sample interval specification. Arguments similar to those submitted in support of **claims 1 and 10** are submitted in support of **claim 11**. It is respectfully submitted that the recitation of producing a job and producing samples clearly indicates that the samples are separate from the main job and are not a subset of the main job. For example, it is respectfully submitted that if samples were a subset of the main job, there would be no need to separately recite producing samples.

For at least the foregoing reasons, **claim 11**, as well as **claims 12-14**, which depend therefrom, is not anticipated and is not obvious in light of Gauronski, Willard, Austin and Van Lydegraf taken alone or in any combination.

Telephone Interview Request

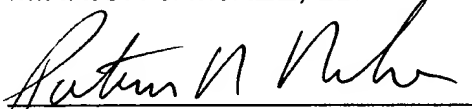
In the interests of advancing this application to issue the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 1, 4-6 and 9-14 remain in the application. **Claims 1 and 10** have been amended. For at least the foregoing reasons, it is respectfully submitted that the claims are in condition for allowance. Accordingly, an early indication thereof is respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Patrick R. Roche

Reg. No. 29,580

Thomas Tillander

Reg. No. 47,334

1100 Superior Avenue, 7th Floor

Cleveland, Ohio 44114-2579

(216) 861-5582

Aug 10, 2005
Date